

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MICHAEL GRIMAL

COMPLAINANT

VS.

LICKING VALLEY RURAL ELECTRIC
COOPERATIVE CORPORATION

DEFENDANT

CASE NO. 93-271

O R D E R

On August 4, 1993, Michael Grimal filed a formal complaint against Licking Valley Rural Electric Cooperative Corporation ("Licking Valley") requesting the reimbursement of excess billing and a readjustment of rates. Pursuant to Commission Regulation 807 KAR 5:001, Section 12(4), each formal complaint is initially reviewed by the Commission to determine whether it establishes a prima facie case and if it does not, the complainant is so notified and an opportunity may be given to amend the complaint. A prima facie case is one that on its face sets forth sufficient allegations that if uncontradicted by other evidence will entitle the complainant to the relief requested.

A review of Mr. Grimal's complaint fails to reveal sufficient allegations to support any finding by the Commission that any rate charged by Licking Valley is unreasonable or unjustly discriminatory, or that any regulation, measurement, practice or

act affecting or relating to the service of Licking Valley is unreasonable, unsafe, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained. A review of the monthly electric bills appended to the complaint discloses that Licking Valley has correctly billed for the electricity consumed in accord with the rates and charges set forth in the tariffs on file with the Commission. Thus, the complaint does not set forth a prima facie case and Mr. Grimal should be given 20 days to amend.

The allegations set forth in the complaint indicate that Mr. Grimal is unable to determine how his monthly electric consumption is applied to the rates set forth in Licking Valley's filed tariffs to arrive at the amount set forth on his monthly bills. We note that while this situation may be problematic for Mr. Grimal, it does not rise to the level of a prima facie complaint for adjudication by the Commission. Since the Commission's Consumer Services Branch has previously attempted to resolve two informal complaints from Mr. Grimal relating to these same allegations, Mr. Grimal might consider contacting Licking Valley to arrange a meeting to discuss the tariffed rates and billing procedures.

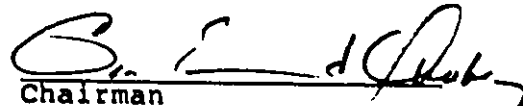
IT IS THEREFORE ORDERED that:

1. Mr. Grimal be and he hereby is given 20 days from the date of this Order to file an amended complaint setting forth a prima facie case against Licking Valley.

2. In the event that an amended complaint is not filed within the above prescribed time, this case shall be dismissed without further order by the Commission.

Done at Frankfort, Kentucky, this 18th day of August, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director